IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 34697 of 2007(E)

PETITIONER:

M.RAMAN NAMBOOTHIRI
MUNHURULLYMANA
VALLIKKAPATTA P.O.
MALAPPURAM DIST
WORKING AS H.S.S.T., SANSKRIT
CBHSS, MANJERI.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS:

1. DIRECTOR ,
HIGHER SECONDARY EDUCATION
THIRUVANANTHAPURAM.

2. SECRETARY, GENERAL EDUCATION DEPT
SECRETARIAT, THIRUVANANTHAPURAM.

BY G.P. SHRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.34697 of 2007

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Dated this the 23rd day of November, 2007

J U D G M E N T

The petitioner is working as Higher Secondary School Teacher, Sanskrit, at GBHSS, Manjeri, Malappuram District. He was appointed to the said post by way of transfer form the post of High School Assistant with effect from 21.11.2000. In respect of a seniority dispute the petitioner obtained favourable orders from this court. Pursuant thereto, the seniority list was duly corrected rearranging the position of the petitioner in the seniority list as 952A instead of 1407. Although persons utpo 952 have been given promotion as principal, the petitioner's claim has not yet been considered, though, according to the petitioner, there are sufficient vacancies to which the petitioner could have been accommodated. The petitioner submits that he is due to retire on 2.12.2007 and the 1st respondent may be directed to consider the claim of the petitioner before that date.

2. I have heard the learned Government Pleader also.

3. The petitioner has filed Ext.P4 application in this regard before the 1st respondent. I direct the 1st respondent to consider and pass appropriate orders on Ext.P4, as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner. If the 1st respondent accepts the claim of the petitioner, the petitioner shall be given notional promotion and consequent pensionary benefits.

The writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.